

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

International Application No. : PCT/US03/11497
International Filing Date : 15 April 2003 (15.04.2003)
U.S. Serial No. : 10/511,538
Deposit Date U.S. Nat'l Phase : October 18, 2004
Priority Date(s) Claimed : 16 April 2002 (16.04.2002)
Applicant(s) : Gilbert JAY, et al.
Title: TISSUE SPECIFIC GENES AND GENE CLUSTERS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 11213-1450

Sir:

In response to the Notification of Missing Requirements dated May 19, 2005:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$65.00
- ☒ Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 35186).
- ☒ Attached is a copy of the Notification of Missing Requirements.
- ☒ Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one month along with the fee of \$60.00.
- ☒ Applicant(s) are entitled to small entity status.
- ☒ Applicants include Information Disclosure Statement.

08/23/2005 LLANDGRA 00000026 10511538


01 FC:2617 65.00 DP

08/23/2005 LLANDGRA 00000026 10511538

02 FC:2251 60.00 DP

Attached is a check in the amount of \$125.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,



Richard M. Lebovitz
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Attorney/Agent for Applicants

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Attorney Docket No.: ORIGEN-0036

Date: August 18, 2005

Rec'd PCT/

18 AUG 2005

MAY 23 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
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www.uspto.gov

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/511,538 | Gilbert Jay | Origen-0036 |

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|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/US03/11497 | |
| LA. FILING DATE | PRIORITY DATE |
| 04/15/2003 | 04/16/2002 |

CASE _____
ACTION MSA reissues
DUE DATE 1/19/05

CONFIRMATION NO. 4835

371 FORMALITIES LETTER



OC000000015894421

Date Mailed: 05/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- ☒ Indication of Small Entity Status
- ☒ Copy of the International Application filed on 10/18/2004
- ☒ Preliminary Amendments filed on 10/18/2004
- ☒ Biochemical Sequence Diskette filed on 10/18/2004
- ☒ Oath or Declaration filed on 10/18/2004
- ☒ Biochemical Sequence Listing filed on 10/18/2004
- ☒ Small Entity Statement filed on 10/18/2004
- ☒ U.S. Basic National Fees filed on 10/18/2004
- ☒ Priority Documents filed on 10/18/2004

CASE _____
ACTION _____
DUE DATE _____

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - ☒ Not signed by all inventors.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

Handwritten signature and date:
5/23/05

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/511,538 | PCT/US03/11497 | Origen-0036 |

FORM PCT/DO/EO/905 (371 Formalities Notice)